

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE PAYMENT CARD INTERCHANGE FEE
AND MERCHANT DISCOUNT ANTITRUST
LITIGATION

**ORDER TO
SHOW CAUSE**

05-MD-1720 (MKB) (JAM)

This document refers to: ALL ACTIONS

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JOSEPH A. MARUTOLLO, United States Magistrate Judge:

In its July 26, 2024 monthly report, Fed. R. Civ. P. 23(b)(3) Class Counsel (“Class Counsel”) requested an Order to Show Cause regarding the conduct of a third-party entity, National Processing Alliance Inc., and its principal, Thomas Fuhrman (collectively, “NPA”). This request arose from a class member’s complaint to Epiq about NPA. *See* Dkt. No. 9363, at 4-5; *see also* Dkt. No. 9369. On August 16, 2024, Class Counsel and NPA reached an agreement that appeared to moot Class Counsel’s request. *See* Dkt. No. 9390. On September 4, 2024, however, Class Counsel requested a second Order to Show Cause against NPA requesting the Court to re-open the prior Order to Show Cause. *See* Dkt. No. 9405.

Upon review of the materials submitted by Class Counsel, the Court hereby grants the Order to Show Cause, as follows:

1. **By September 16, 2024**, NPA shall file a letter as to why the Court should not issue an order directing NPA to: (i) provide Class Counsel with a list of any and all class members who have signed up for claims-filing services with NPA or any associated entity, and provide written notice to any such class members (blind copying Class Counsel) so that they may cancel any contract; and (ii) report to Class Counsel that the foregoing actions have been completed before the September 27, 2024 deadline for Class Counsel to file its next monthly status report.

entered into with NPA for claims-filing or other services related to this action.

2. Class Counsel are hereby directed to serve a copy of this order to counsel for NPA, in the manner most likely to constitute timely and effective notice, by **September 9, 2024 at 5:00 p.m. EST.**

Dated: Brooklyn, New York
September 7, 2024

SO ORDERED.

/s/ Joseph A. Marutollo
JOSEPH A. MARUTOLLO
United States Magistrate Judge